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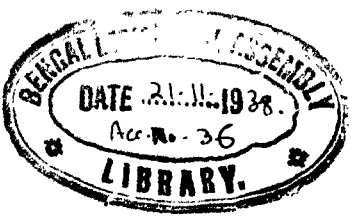
Council Proceedings

Official Report

Bengal Legislative Council

Meeting held on 9th April, 1937.



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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency the Right Hon'ble Sir JOHN ANDERSON, P.C., G.C.B., G.C.I.E.

MEMBERS OF THE COUNCIL OF MINISTERS.

The Hon'ble Mr. ABUL KASEM FAZLUL HUQ in charge of the Education Department.

The Hon'ble Mr. NALINI RANJAN SARKER in charge of the Finance Department.

The Hon'ble Khwaja Sir NAZIMUDDIN, K.C.I.E., in charge of the Home Department.

The Hon'ble Sir BIJOY PRASAD SINGH ROY, KT., in charge of the Revenue Department.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca, in charge of the Department of Agriculture and Industries.

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Kasimbazar, in charge of the Department of Communications and Works.

The Hon'ble Mr. HUSEYN SHAHEED SUHRAWARDY in charge of the Department of Commerce and Labour.

The Hon'ble Nawab MUSHARRUF HOSAIN, Khan Bahadur in charge of the Judicial and Legislative Departments.

The Hon'ble Mr. Syed NAUSHER ALI in charge of the Department of Public Health and Local Self-Government.

The Hon'ble Mr. PRASANNA DEB RAIKAT in charge of the Forest and Excise Department.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK in charge of the Co-operative Credit and Rural Indebtedness Department.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE COUNCIL.

ACTING PRESIDENT.

The Hon'ble Sir GEORGE CAMPBELL, KT., M.L.C.

ELECTED PRESIDENT.

The Hon'ble Mr. SATYENDRA CHANDRA MITRA, M.L.C.

DEPUTY PRESIDENT.

Mr. HAMIDUL HUQ CHOWDHURY, M.L.C.

ACTING SECRETARY TO THE COUNCIL—Rai Sahib MANOMOHAN MUKHURJI.

ACTING ASSISTANT SECRETARY TO THE COUNCIL—Mr. S. A. E. HUSSAIN.

BENGAL LEGISLATIVE COUNCIL.

ALPHABETICAL LIST OF MEMBERS.

A

1. Ahamed, Mr. Nur. [Chittagong Muhammadan (Rural).]
2. Ahmad, Mr. Naziruddin. [Burdwan Division Muhammadan (Rural).]
3. Ahmed, Mr. Mesbahuddin. [Bengal Legislative Assembly.]

B

4. Baksh, Mr. Kader. [Bengal Legislative Assembly.]
5. Banerjee, Rai Bahadur Keshab Chandra. [Dacca Division North General (Rural).]
6. Barua, Dr. Arabinda. [Chosen by Governor.]
7. Bose, Rai Bahadur Manmatha Nath. [Burdwan Division South-West General (Rural).]

C

*8. Campbell, The Hon'ble Sir George, Kt. [Bengal Legislative Assembly.]
9. Chakraverti, Mr. Srish Chandra. [Calcutta General (Urban).]
10. Chaudhury, Mr. Moazzemali. [Faridpur Muhammadan (Rural).]
11. Chowdhury, Khan Sahib Abdul Hamid. [Mymensingh West Muhammadan (Rural).]
12. Chowdhury, Mr. Khorshed Alam. [Bakarganj Muhammadan (Rural).]
13. Chowdhury, Mr. Rezzaqul Haider. [Noakhali Muhammadan (Rural).]
14. Chowdhury, Mr. Hamidul Huq. [Bengal Legislative Assembly.]
15. Chowdhury, Mr. Humayun Reza. [Rajshahi *cum* Malda Muhammadan (Rural).]
16. Cohen, Mr. D. J. [Chosen by the Governor.]

* Acting President of the Bengal Legislative Council.

D

17. Das, Mr. Lalit Chandra. [Chittagong Division General (Rural).]
18. Datta, Mr. Bankim Chandra. [Bengal Legislative Assembly.]
19. Datta, Mr. Narendra Chandra. [Bengal Legislative Assembly.]
20. D'Rozario, Mrs. K. [Chosen by the Governor.]
21. Dutta, Mr. Kamini Kumar. [Bengal Legislative Assembly.]

E

22. Ellahi, Mr. S. Fazal. [Presidency Division South Muhammadan (Rural).]
23. Esmail, Khwaja Muhammad. [Dacca North-West Muhammadan (Rural).]

G

24. Goswami, Mr. Kanai Lal. [Calcutta Suburbs General (Urban).]

H

25. Haider, Nawabzada Kamruddin. [Bengal Legislative Assembly.]
26. Hosain, Khan Bahadur Saiyed Muazzamuddin. [Bengal Legislative Assembly.]
27. Hossain, Mr. Latafat. [Chosen by the Governor.]
28. Hossain, Mr. Mohamed. [Bengal Legislative Assembly.]
29. Huq, Mr. Syed Muhammad Ghaziul. [Tippera Muhammadan (Rural).]

I

30. Ibrahim, Khan Bahadur Maulvi Mohammad. [Dacca North-West Muhammadan (Rural).]

J

31. Jan, Khan Bahadur Shaikh Muhammad. [Calcutta and Suburbs Muhammadan (Urban).]

K

32. Kabir, Mr. Humayun. [Bengal Legislative Assembly.]
33. Karim, Khan Bahadur M. Abdul. [Mymensingh East Muhammadan (Rural).]
34. Khan, Khan Bahadur Muhammed Asaf. [Rangpur Muhammadan (Rural).]
35. Khan, Maulana Muhammad Akrum. [Bengal Legislative Assembly.]

L

36. Laidlaw, Mr. W. B. G. [European.]
37. Lamb, Mr. T. [Bengal Legislative Assembly.]

M

38. Maitra, Rai Bahadur Brojendra Mohan. [Rajshahi Division South-East General (Rural).]
39. McKerrow, Mr. J. A. [European.]
40.* Mitra, The Hon'ble Mr. Satyendra Chandra. [Bengal Legislative Assembly.]
41. Molla, Khan Sahib Subidali. [Bengal Legislative Assembly.]
42. Momin, Begum Hamida. [Chosen by the Governor.]
43. Mookerjee, Mr. Naresh Nath. [Bengal Legislative Assembly.]
44. Mookerji, Dr. Radha Kumud. [Bengal Legislative Assembly.]
45. Mukherji, Rai Bahadur Satis Chandra. [Burdwan Division North-East General (Rural).]

N

46. Nicholl, Mr. C. K. [European.]

O

47. Ormond, Mr. E. C. [Bengal Legislative Assembly.]

P

48.* Pal Choudhury, Mr. Ranajit. [Presidency Division General (Rural).]
49. Poddar, Mr. H. P. [Bengal Legislative Assembly.]

* President of the Bengal Legislative Council.

R

50. Rahman, Khan Bahadur Ataur. [Presidency Division North Muhammadan (Rural).]
51. Rahman, Mr. Mukhlesur. [Rajshahi Division North Muhammadan (Rural).]
52. Rashid, Kazi Abdur. [Dacca South-East Muhammadan (Rural).]
53. Ray, Mr. Nagendra Narayan. [Bengal Legislative Assembly.]
54. Ray Chowdhury, Maharaja Sir Manmatha Nath, Kt., of Santosh. [Bengal Legislative Assembly.]
55. Roy, Rai Bahadur Radhica Bhusan. [Bengal Legislative Assembly.]
56. Roy Chowdhury, Mr. Krishna Chandra. [Chosen by the Governor.]

S

57. Sanyal, Mr. Sachindra Narayan. [Bengal Legislative Assembly.]
58. Sarker, Mr. Indu Bhusan. [Dacca Division South General (Rural).]
59. Sen, Rai Sahib Jatindra Mohan. [Rajshahi Division North-West General (Rural).]
60. Shamsuzzoha, Mr. M. [Bengal Legislative Assembly.]
61. Singh Roy, Mr. Saileswar. [Bengal Legislative Assembly.]
62. Sinha, Rai Bahadur Surendra Narayan. [Bengal Legislative Assembly.]
63. Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur. [Bengal Legislative Assembly.]

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS

(Official Report of the First Meeting.)

Volume I.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1935.

THE COUNCIL met in the Council Chamber of the Council House, Calcutta, on Friday, the 9th April, 1937, at 3 p.m.

Present:

The Hon'ble the ACTING PRESIDENT (SIR GEORGE CAMPBELL, KT.) in the Chair and sixty-one members.

Six Hon'ble Ministers were also present.

Election of President.

Mr. ACTING PRESIDENT: Gentlemen, you will now proceed to elect your President. The following candidates have been duly nominated for the post of President of this Council:—

(*1*) Khan Bahadur Maulvi Abdul Karim. (Proposed by Khan Bahadur Saiyed Muazzamuddin Hosain; seconded by Mr. Nur Ahamed.)

(*2*) Mr. Satyendra Chandra Mitra. (Proposed by Dr. Radha Kumud Mookerji; seconded by Mr. Lalit Chandra Das.)

(*3*) Maharaja Sir Manmatha Nath Ray Chowdhury, KT., of Santosh. [(*i*) Proposed by Raja Bhupendra Narayan Sinha Bahadur of Nashipur; seconded by Mr. Saileswar Singh Roy. (*ii*) Also proposed by Mr. T. Lamb; seconded by Mr. E. C. Ormond. (*iii*) Also proposed by Mrs. K. D'Rozario; seconded by Rai Manmatha Nath Bose Bahadur.]

There is one other name, Rai Surendra Narayan Sinha Bahadur, in the list of candidates, but the gentleman concerned has withdrawn his

candidature. I have to announce that as a result of the withdrawal of the candidature of this member, three gentlemen named by me are the only candidates for the Presidentship.

Khan Bahadur Maulvi ABDUL KARIM: Mr. President, Sir, in view of the fact that the Lower House has got a Muhammadan Speaker and a Muhammadan Deputy Speaker, I desire to withdraw my candidature for Presidentship of this Council.

Mr. ACTING PRESIDENT: Khan Bahadur Maulvi Abdul Karim having withdrawn his candidature, the Council will now proceed to elect a President from amongst the two remaining candidates. The arrangements for the ballot are as follows:—

(*1*) The four ballot boxes in which the members are to put their ballot papers may be examined by any member who cares to do so to see that they are empty before they are locked up.

When the ballot is over, the boxes will be opened inside the Chamber and the votes counted here.

(*2*) Two of these boxes will be provided in each of the lobbies, and so placed as to enable a member to record his vote screened from observation.

(*3*) Members in the East blocks are requested to enter the "No" lobby and members in the West blocks are requested to enter the "Aye" lobby.

(*4*) After the members have been given sufficient time to enter the lobbies, the doors will be locked so that no member can thereafter enter the lobbies or the Chamber until the doors are opened.

(*5*) Each member will be given a ballot paper as he passes the barrier within each lobby.

(*6*) Members are requested to state their names as they pass the barrier to the officers on duty there, to take ballot papers at the barrier when their names will be ticked off in the list, record their votes in the screened enclosures provided and after putting the ballot papers in the ballot boxes in the enclosures provided re-enter the Chamber when the doors are opened after all the members have voted.

(*7*) Members are requested to indicate their preference on the ballot paper by marking a X against the name of the candidate for whom they wish to vote. Only one vote can be given to a candidate. Members should not sign or initial the ballot paper.

Gentlemen will now kindly enter the lobbies and vote.

[A ballot was then taken.]

Mr. ACTING PRESIDENT: Gentlemen, the result of the ballot is as follows:—

	Votes.
(1) Maharaja Sir Manmatha Nath Ray Chowdhury, KT., of Santosh	29
(2) Mr. Satyendra Chandra Mitra	30

Two ballot papers have been rejected.

I declare that Mr. Satyendra Chandra Mitra is duly elected President of the Bengal Legislative Council.

I now invite the Hon'ble the President to take the Chair.

(The newly elected President, the Hon'ble Mr. Satyendra Chandra Mitra, after shaking hands with the Hon'ble the Acting President took the Chair.)

Maharaja Sir MANMATHA NATH RAY CHOWDHURY, Kt., of Santosh: Mr. President, Sir, on behalf of the Progressive Party, I offer you our felicitation. We do hope that you will hold the balance even between all sections of this House. We are on the threshold of a very interesting constitutional experiment and the success of that experiment will depend much upon your actions in this House. I do hope that you will always endeavour to forget your own politics, to wipe out from your memory the impressions that you have so long imbibed as a Congress politician, and try to judge us and all our actions with that impartiality which ought to belong to your great office. I do hope that you will direct the deliberations of this House through proper channel and see that the methods employed are always clean. I once again offer you our felicitation.

Khan Bahadur Maulvi ABDUL KARIM: Mr. President, as the leader of the biggest single group in this House—the Muhammadan Group—and leader of the Proja section of that group, it is my privilege to offer you my sincere congratulations on your election to this exalted office of President of the Bengal Legislative Council. Sir, knowing you as well as we do we have no hesitation in saying that you will adorn the Chair and deal evenhanded justice to all groups and sections of members who have got their respective claims and place in this House. As leader of the Proja Group whose programme and policy is widely

before the country and for whose benefit we propose to bring in measures in this House for the amelioration of the condition of the masses—that should be the climax of our ambition—I hope the day would come when we would be able to say in the words of Lord Tennyson—

"The oracle is dumb,
No voice or hideous hum,
Can ring through the arched roof, deceiving,
And Apollo from his shrine can no more divine."

We shall work to the best advantage of the country in its best interests, and in the best interests of its people whose servants we are in the true sense. We hope we shall have divine guidance in us which will give us strength to carry through that programme. We hope to have your hearty co-operation which should be the duty of all Presidents of democratic Councils to render. On behalf of myself and my group, I beg again to offer you our hearty congratulations and I wish you a long life, prosperity and success.

Mr. PRESIDENT (the Hon'ble Mr. Satyendra Chandra Mitra): Sisters and brothers, by the Grace of God, you have, by your votes to-day, elected me as your President. I fully realise the responsibility of this great office. No doubt, there were Presidents of the Bengal Legislative Council under the old constitution, but though the name of this House is the same, our position is altogether different. We shall have to create our own traditions, and you will excuse me if I just refer to a few points which strike me offhand in this connection.

You are aware of the Parliamentary saying that the "Speaker seldom speak," and I shall have little opportunity of addressing the House. My duty will be only to conduct your deliberations. And in this task I shall try to hold the balance even between all parties and sections in this House, for as your President I no longer belong to any particular party or group. Fortunately for me, I have had a varied experience of legislatures for more than twelve years. I had been twice elected to the Bengal Legislative Council and thrice to the Central Legislative Assembly, and I had the privilege to study those institutions for a very long time. It seems to me that there is a misconception about the scope and function of the Upper House in the minds not only of the public but perhaps even of the Government. The bicameral system is not a new thing, even in democratic countries it is not fast dying out. Bicameral system is in vogue in all important countries. The reason is quite simple: for there is hardly any other effective way for the minority to be guarded against the danger of oppression from interested coalitions.

Here in this House we have a very long life and generally veteran legislators having previous experience in popular assemblies have entered it to devote their time and energy entirely for the benefit of their country. The analogy of the British House of Lords is not relevant. That House had its days of aristocratic rule, but with the advent of democracy, the House of Lords being a hereditary House, failed to represent popular opinion. The case is quite different in the Continent. Like ours, there is a Senate in Switzerland constituted partly by direct election and partly by indirect election from the Lower House. But I think it is the Belgian Senate that is very much akin to our Upper House. So far as I remember, out of 153 seats in the Upper House there, 93 are elected direct, 40 are elected from the lower legislature like ours, and 20 are co-opted. Then you are perhaps aware that the Senates in France and the United States of America have much greater powers than what the Lower Houses have in those countries, the reason being that the Upper Houses there are also representative Houses and not hereditary. That is the line in which our House may also develop, and I believe the time would come when you will have built up your own traditions for this House to assert itself and establish its proper position. It will be one of our businesses to revise any shortcomings that might arise in the rush of the daily work of a bigger Lower House. We shall have to do that with the greatest caution, so that our House may act as a proper check upon the pure Law of Number. But I do not think our task need end there; to my mind there appears to be nothing in the present Constitution to prevent this House from ploughing its own way into distinct supremacy as the Upper Houses in certain other countries have done. In this connection it seems to me from the fact that this Upper House has been totally excluded from the Ministry that the Government at present is not well acquainted with the scope of work and privileges of the members of this House. So far as I remember, in France out of twelve Ministers three or four are generally taken from the Upper House. I do not know what was in the minds of the legislators in Great Britain when they were framing the Indian Constitution. But everything lies with you, and with your co-operation I hope I shall be able to so build up the rights and privileges of this House that it may make a name and attain its rightful position in serving the country to its best advantage. I thank you all once again, gentlemen, and particularly the Maharaja Bahadur for his kind words and also Khan Bahadur Maulvi Abdul Karim. I know, however, that the time for offering me real felicitation should come when I vacate this Chair. I repeat my most respectful acknowledgments to the House for the high honour they have done me.

The Hon'ble Mr. A. K. FAZLUL HUQ (the Chief Minister): Owing to a slight miscalculation on my part, I was slow to rise and offer you

our sincerest felicitations. I am now going, with your leave, to make amends, and to assure you that we share with the members of this House the joy which we all feel at your occupying this distinguished position. It was in the fitness of things that the first congratulation should have come from the Maharaja Bahadur of Santosh who has fought you honourably and has been the first to come forward to congratulate you. I have got very little to add to what he has said, but I cannot help expressing my great delight that you, Sir, belonging to the Congress Group, have been chosen to fill this Chair. I am glad that in consequence of the votes of the members of this House, you, a Congress leader, have got mixed up with the politics of the Upper House which we have all along so strongly condemned. It will be for you to show, although we condemn many things in politics, when your turn comes, that you are as enthusiastic as ourselves to work it out to a finish. I dare say that you will be able to harmonise the Congress and the Bureaucracy, the progressive and the non-progressive elements together, and when you lay down your reins of office, we will be able to congratulate you on having achieved the most difficult task. I congratulate you once more and wish you a very happy term of office.

Dr. RADHA KUMUD MOOKERJI: Sir, I feel that it would be more proper for me to stand last to offer you our sincere congratulation on your election as President of this august House. When I say I should have liked to rise last to offer you this congratulation, I mean that it is for a sort of a personal connection between you and a great party which I now have the privilege of leading in this House in your absence. We feel as a party that we are loosing a valuable guide, philosopher and friend to help our party to do its proper work within this sphere. But, Mr. President, in offering you my congratulation I must at the same time make it clear that the position of this party in the Council is rather unique on account of the ideals for which it stands. This small group in this House may be a very small one in number, but it belongs to an organisation which is the greatest in the whole of India, greatest not merely in point of efficiency in organisation but greatest on account of the high ideals for which it stands. And in our loyalty to those ideals, I must say that the Congress has found it very difficult in the present circumstances confronting the political situation of this country to enter into any kind of organic relationship with the Government of the day. I am purposely using scientific words, because I do not like to import the heat of popular phraseology into this serene atmosphere. Therefore, I put this point of view in a scientific manner. What the Congress wants to say is this: Unless a Government is really what may be called a system of responsible Government, there is no kind of organic relationship possible, and it

is on that larger ground that the party to which I belong cannot possibly enter into an integral or organic relation with the Government that is run on the present lines. Therefore, Mr. President, all your difficulties in the conduct of the proceedings of this House may arise from the proposals that may emanate from my small party. I hope now that you are shedding your party complexion on your occupying the exalted position of President which is above all party and above all politics, that you will remember that when we strive our utmost to introduce improvements in the political situation, we shall merit your sympathy and consideration on grounds of justice and fair play and above all on the ground of the inviolability and the irresistible force of those political principles for which my party stands. I do not like to prolong my remarks on an occasion like this. I would like once more, first of all, to offer you our congratulations—the congratulations of the entire party—on account of your victory which comes to us as a sort of personal triumph. I must also thank the supporters to whom we owe the success of your election—the supporters who have, in a most praiseworthy spirit of public service, grasped the realities of the situation that arose in connection with these elections and have so conducted themselves that the solution of a very delicate and difficult problem has been achieved for which credit is due especially to the leader of the Proja Party, Khan Bahadur Abdul Karim and his supporters; and we, on behalf of our party, must offer him our congratulations on the rare political statesmanship that he has shown in solving a very knotty problem that confronted the legislature. I must say that I also admire the fine sense of courtesy and civic sense displayed by one of our esteemed members of this House, Maharaja Sir Manmatha Nath Ray Chowdhury of Santosh. We in this party have really stood for a certain kind of principle and a certain kind of arrangement and I hope that the whole House will agree that the result achieved to-day—the success of the election—will really constitute a landmark in our future work within this House. We are really opening up a new chapter of political work based on a complete understanding between the different communities. Lastly, I would like to say that we in this Upper House appear to be a somewhat neglected body. We hope that with your championship we shall be able to build up the prestige and the power that ought to belong to this House. We already feel that there is a step-motherly treatment meted out to this Upper House, in a step taken at the very beginning. We have already lost some of our rights and liberties if I may say so. I hope that we, though a very small yet a very well-organised body, shall be able to push forward our claims and our rights so that our rightful place in the constitution may be asserted henceforth. We hope that with your rare parliamentary experience and your sense of justice and fair play you will be our leader so far as the Upper House is concerned for securing to it that place in the constitution to which it is entitled. Once more let me offer you my congratulations as your

BENGAL LEGISLATIVE ASSEMBLY
DATE 19

friend and on behalf of the whole party and the great organisation to which I have the privilege to belong.

Mr. K. C. ROY CHOWDHURY: Sir, I offer you personally my sincerest felicitations on your election to the Chair. You have identified yourself in the past with the amelioration of the working and poorer classes of our people. Therefore, it is a real and genuine pleasure to me, who has been associated with the Labour movement, that you have been elected President. I am sure that you will give us every facility for the representation and discussion of the grievances of those classes of people with whom you had cast your lot in the past. I was very pleased that you expressed to-day a desire to help to build up a democratic tradition in this Upper House. There is a general impression abroad that the Upper House like that glorious House known as the House of Lords in England is meant for the Lords of our society. The ordinary people and the man in the street have not studied the Constitution of what is known as the bicameral legislature. I hope you will help us in removing that impression whenever the poor man's case comes to be discussed here. I offer you once more on behalf of the poorer and working classes, my sincere congratulations on your election to-day.

Khan Bahadur Maulvi MOHAMMAD IBRAHIM addressed the Council in Bengali. The following is the English translation of the speech.

With the permission of the President, I wish to speak a few words in Bengali.

At the outset, I record my sorrow for the Maharaja of Santosh because of his defeat by one vote. It seems that his turn has now come for being defeated everywhere by one vote. It is really a matter to be sorry for.

Now with due respect to the elected President, I beg to submit that when I began my public life, fifty years back, in the Council the names of one or two Indians, and that also very rarely, used to be heard as Council members; but now the seats in the Council are filled by Indians and every department is under their control. Therefore, you can easily imagine the extent to which the Constitution has been reformed. I believe that this reform in the Constitution has been possible by co-operation. We hope that we shall be able to reach our goal through co-operation. Much help from the President is necessary in this work. I am not aware which party the President belongs to. Whatever party he may belong to, he will have to treat everyone equally. I hope he will be able to keep up the honour of his high position.

Mr. KAMINI KUMAR DUTTA: Mr. President, I offer you my heartiest congratulations on your being elected as President of this House, particularly congratulations from me, go from one of your friends who has been connected with you almost, I think, for the major part of your career and my part in public life. I belong to that class of workers in the country who are working for the amelioration of the condition of the poor masses and I know, Sir, your sympathy is also with the masses. Therefore, I can voice the feeling both of the House and the feeling of the masses in the country that if any question arises in this House involving a clash of interests, we are confident that you will hold the balance impartially between the different classes. Sir, by your sufferings in the past you have proved your mettle; by your experience both in the old Bengal Council and in the Central Legislature also you have added to your qualifications and your fitness—I would repeat that though you belong to a particular party to which I belong, I know that by your sufferings and your parliamentary experience you have proved yourself quite competent to be the President of this House and to discharge your duties impartially, especially at a time when new history is to be made, and your name will be borne in the future history which will be written. In this connection, I would like to express our thanks to Khan Bahadur Abdul Karim—although I do not find him here—not only our thanks, but the thanks of our country, and the example that he has shown ought to be imitated. It is nothing but a keen sense of public spirit and love of country that has actuated him to withdraw from the contest, and really I must congratulate him on his action. With these few words I once more offer you my congratulations.

Mr. NAZIRUDDIN AHMAD: Sir, on behalf of the Bengal Moslem League I wish to join the other speakers in congratulating you. I wish to say only one thing in this connection. The first speaker, who was privileged to congratulate you, said that we are on the threshold of a very interesting experiment. I do think that in electing you to be its President this House is on the threshold of another very interesting experiment too. You belong to one of the greatest organisations in the country—the Congress. As a person not belonging to that great party, I get the impression that the Congress as a group has come here to this House as well as to similar houses for ending the constitution. But to-day by your very election you are constitutionally bound to uphold the very constitution which your party has come here to end and destroy. I only hope and believe, as is very clear from your acceptance of this high office, that you will forget your party predilections and uphold the constitution and be a no-party man and really deserve the thanks of the House for upholding the constitution. I again offer you, Sir, my sincere and hearty congratulations on your success.

Khan Sahib ABDUL HAMID CHOWDHURY: Hon'ble Mr. President, it is with great pleasure, Sir, that I rise to offer you my heartiest and sincerest felicitation on your elevation to the exalted position of the first President of this Council inaugurated under the new constitution. Sir, just at a time when the whole country is looking forward with great expectation to see the result of the new constitution, it is [4 p.m.] no small honour to be chosen to guide the deliberation of this august body. By putting you at the helm of the affairs of this body, this House has done you the greatest honour in its gift and has reposed in you its greatest confidence. I am perfectly sure that you eminently deserve this honour and trust and this position of distinction. I also feel sure, Sir, that in the discharge of your function you will never be found wanting in that amount of courage of conviction which will be required from time to time to hold the scale of justice even between conflicting claims. Sir, I think I voice the unanimous views of this House that in spite of the fact that in the point of dignity and importance this House is in no way inferior, if not superior, to the other Chamber; this House has been totally ignored at the time of formation of the Ministry. I hope, however, that under your able guidance we shall very soon be able to make our strength felt by all concerned, though in this connection we shall neither ask for nor expect anything from you which is inconsistent with your office. Sir, I belong to that section of this House which does not believe in the destructive programme, but which is eager to work out the new constitution as best as possible, and in that view of the fact I assure you, Sir, of our hearty co-operation and support. With these few words, Sir, I again offer my very sincere congratulation and wish you all round success in the honest and faithful discharge of your onerous function.

Election of Deputy President.

Mr. PRESIDENT: The Council will now proceed to the election of the Deputy President. The following candidates have been duly nominated for the Deputy Presidentship of this Council:—

(*1*) Mr. Naziruddin Ahmad. (Proposed by Khan Bahadur Muhammed Asaf Khan; seconded by Khan Bahadur Maulvi Mohammad Ibrahim.)

(*2*) Rai Manmatha Nath Bose Bahadur. (Proposed by Rai Brojendra Mohan Maitra Bahadur; seconded by Rai Surendra Narayan Sinha Bahadur.)

(*3*) Mr. Shrish Chandra Chakraverti. (Proposed by Mr. Bankim Chandra Datta; seconded by Mr. Ranajit Pal Chaudhury.)

(*4*) Mr. Hamidul Huq Chowdhury. (Proposed by Khan Bahadur Saiyed Moazzamuddin Hosain; seconded by Mr. Mukhlesur Rahman; also proposed by Mr. Rezzaqul Haider Chowdhury and seconded by Mr. Moazzemali Chaudhury.)

(5) Mr. Bankim Chandra Datta. (Proposed by Mr. Kamini Kumar Dutta; seconded by Mr. H. P. Poddar.)

(6) Mr. S. Fazal Ellahi. (Proposed by Mr. Mohamed Hossain; seconded by Nawabzada Kamruddin Haider.)

(7) Khan Bahadur Shaikh Muhammad Jan. (Proposed by Mr. Kader Baksh; seconded by Mr. Mesbahuddin Ahmed.)

(8) Mr. Naresh Nath Mookherjee. (Proposed by Rai Bahadur Surendra Narayan Sinha; seconded by Dr. Radha Kumud Mookherji.)

(9) Dr. Radha Kumud Mookherji. (Proposed by Mr. Satyendra Chandra Mitra; seconded by Mr. Naresh Nath Mookherjee.)

(10) Mr. Nagendra Narayan Ray. (Proposed by Mr. Indu Bhusan Sarker; seconded by Mr. Narendra Chandra Datta.)

(11) Mr. Sachindra Narayan Sanyal. (Proposed by Khan Sahib Abdul Hamid Chowdhury; seconded by Kazi Abdur Rashid; also proposed by Mr. Nagendra Narayan Ray and seconded by Rai Bahadur Radhika Bhusan Roy.)

(12) Rai Surendra Narayan Sinha Bahadur. (Proposed by Raja Bhupendra Narayan Sinha Bahadur of Nashipur; seconded by Mr. Saileswar Singh Roy.)

The following candidates have withdrawn their candidature in writing:—

Rai Manmatha Nath Bose Bahadur.

Mr. Nagendra Narayan Ray.

Mr. Sachindra Narayan Sanyal.

Rai Surendra Narayan Sinha Bahadur.

Dr. RADHA KUMUD MUKHERJI: Mr. President, on behalf of the party which I have the privilege to represent I am desired to state that the following candidates including myself have withdrawn their candidature for the Deputy Presidentship:—

Mr. Shrish Chandra Chakraverti.

Mr. Bankim Chandra Datta.

Mr. Naresh Nath Mookherjee.

I hope my withdrawal on their behalf will amount to withdrawal of each individual person who is present.

Mr. PRESIDENT: I hope all those members agree to withdraw.

Dr. RADHA KUMUD MUKHERJI: Yes, Sir.

Mr. SHRISH CHANDRA CHAKRAVERTI: Yes Sir.

Mr. BANKIM CHANDRA DATTA: Yes Sir.

Mr. NARESH NATH MODKHERJEE: Yes Sir.

Mr. PRESIDENT: The following four names only now remain:—

Mr. Naziruddin Ahmad.

Mr. Hamidul Huq Chowdhury.

Mr. S. Fazal Ellahi.

Khan Bahadur Shaikh Muhammad Jan.

(The Council then adjourned till 5 p.m.)

(After Adjournment.)

Mr. NAZIRUDDIN AHMAD: Sir, I beg to withdraw from the contest.

Mr. PRESIDENT: The ballot will be taken for the remaining three candidates. The House will now proceed to ballot. The arrangements for ballot are exactly the same as in the case of election of the President.

[Thereafter a ballot was taken.]

Mr. PRESIDENT: The result of the ballot is as follows:—

(*1*) Mr. S. Fazal Ellahi obtained 5 votes.

(*2*) Khan Bahadur Shaikh Muhammad Jan obtained 12 votes.

(*3*) Mr. Hamidul Huq Chowdhury obtained 28 votes.

No ballot papers have been rejected.

I declare Mr. Hamidul Huq Chowdhury, who has received more than the aggregate of the votes obtained by the other candidates, to be duly elected Deputy President of the Bengal Legislative Council.

Prorogation.

Mr. PRESIDENT: I have it in command from His Excellency the Governor to declare that the Bengal Legislative Council stands prorogued.

The following members were present at the meeting of the 9th April, 1937:—

(1) Ahamed, Mr. Nur.
(2) Ahmad, Mr. Naziruddin.
(3) Ahmed, Mr. Mesbahuddin.
(4) Baksh, Mr. Kader.
(5) Banerjee, Raj Bahadur Keshab Chandra.
(6) Barua, Dr. Arabinda.
(7) Bose, Rai Bahadur Manmatha Nath.
(8) Campbell, The Hon'ble Sir George, Kt.
(9) Chakraverti, Mr. Shrish Chandra.
(10) Chaudhury, Mr. Moazzemali.
(11) Chowdhury, Khan Sahib Abdul Hamid.
(12) Chowdhury, Mr. Khorshed Alam.
(13) Chowdhury, Mr. Rezzaqul Haider.
(14) Chowdhury, Mr. Hamidul Huq.
(15) Chowdhury, Mr. Humayun Reza.
(16) Cohen, Mr. D. J.
(17) Das, Mr. Lalit Chandra.
(18) Datta, Mr. Bankim Chandra.
(19) Datta, Mr. Narendra Chandra.
(20) D'Rozario, Mrs. K.
(21) Dutta, Mr. Kamini Kumar.
(22) Ellahi, Mr. S. Fazal.
(23) Esmail, Khwaja Muhammad.
(24) Goswami, Mr. Kanai Lal.
(25) Haider, Nawabzada Kamruddin.
(26) Hamida Momin, Begum.
(27) Hosain, Khan Bahadur Saiyed Muazzamuddin.
(28) Hossain, Mr. Latafat.
(29) Hossain, Mr. Mohamed.
(30) Huq, Mr. Syed Muhammad Ghaziul.
(31) Ibrahim, Khan Bahadur Maulvi Mohammad.
(32) Jan, Khan Bahadur Shaikh Muhammad.
(33) Kabir, Mr. Humayun.

*Acting President of the Bengal Legislative Council.

(*34*) Karim, Khan Bahadur M. Abdul.

(*35*) Khan, Khan Bahadur Muhammed Asaf.

(*36*) Khan, Maulana Muhammad Akrum.

(*37*) Laidlaw, Mr. W. B. G.

(*38*) Lamb, Mr. T.

(*39*) Maitra, Rai Bahadur Brojendra Mohan.

(*40*) Mitra, the Hon'ble Mr. Satyendra Chandra.

(*41*) Molla, Khan Sahib Subidali.

(*42*) Mookerjee, Mr. Natesh Nath.

(*43*) Mookerji, Dr. Radha Kumud.

(*44*) Mukherji, Rai Bahadur Satis Chandra.

(*45*) Nicholl, Mr. C. K.

(*46*) Ormond, Mr. E. C.

(*47*) Pal Choudhury, Mr. Ranajit.

(*48*) Poddar, Mr. H. P.

(*49*) Rahman, Khan Bahadur Ataur.

(*50*) Rahman, Mr. Mukhlesur.

(*51*) Rashid, Kazi Abdur.

(*52*) Ray, Mr. Nagendra Narayan.

(*53*) Ray Chowdhury, Maharaja Sir Manmatha Nath, Kt., of Santosh.

(*54*) Roy, Rai Bahadur Radhica Bhusan.

(*55*) Roy Chowdhury, Mr. Krishna Chandra.

(*56*) Sanyal, Mr. Sachindra Narayan.

(*57*) Sarker, Mr. Indu Bhusan.*

(*58*) Sen, Rai Sahib Jatindra Mohan.

(*59*) Shamsuzzoha, Mr. M.

(*60*) Singh Roy, Mr. Saileswar.

(*61*) Sinha, Rai Bahadur Surendra Narayan.

(*62*) Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.

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*President of the Bengal Legislative Council.

The following Hon'ble Ministers attended the meeting of the 9th April, 1937:—

(1) The Hon'ble Mr. Abul Kasem Fazlul Huq, M.L.A. (the Chief Minister).

(2) The Hon'ble Mr. Nalini Ranjan Sarker, M.L.A.

(3) The Hon'ble Khwaja Sir Nazimuddin, K.C.I.E., M.L.A.

(4) The Hon'ble Sir Bijoy Prasad Singh Roy, KT., M.L.A.

(5) The Hon'ble Nawab Khwaja Habibullah Bahadur of Dacca, M.L.A.

(6) The Hon'ble Mr. Huseyn Shaheed Suhrawardy, M.L.A.

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